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PATENT
Customer No. 22,852
Attorney Docket No. 03180.0329

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
| |) | |
| Haruko AKUTSU et al. |) | Group Art Unit: 2877 |
| |) | |
| Application No.: 10/635,539 |) | Examiner: Hoa Q. Pham |
| |) | |
| Filed: August 7, 2003 |) | Confirmation No.: 9696 |
| |) | |
| For: APPARATUS AND METHOD FOR |) | |
| EVALUATING SEMICONDUCTOR |) | |
| MATERIAL |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated March 22, 2006, the Examiner required restriction under 35 U.S.C. § 121 directed to the following allegedly patentably distinct species of claims: (a) claims 5-11 and 14-17; (b) claims 12 and 13; (c) claim 18, and (d) claim 19.

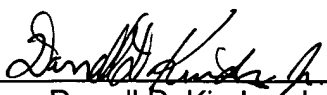
Applicants provisionally elect to prosecute Species (a), claims 5-11 and 14-17, without traverse.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 21, 2006

By: 
Darrell D. Kinder, Jr.
Reg. No. 57,460